



General Assembly

February Session, 2010

***Raised Bill No. 273***

LCO No. 1302

\*01302\_\_\_\_\_ENV\*

Referred to Committee on Environment

Introduced by:  
(ENV)

***AN ACT CONCERNING THE DISCHARGE OF CERTAIN VESSEL  
PRESSURE WASHING WASTEWATERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective July 1, 2010*) (a) The Commissioner of  
2       Environmental Protection shall keep in effect or issue, as applicable, a  
3       stormwater discharge permit pursuant to section 22a-430 for any  
4       marina, yacht club, boatyard, boat repair and maintenance facility or  
5       other facility that allows the pressure washing of the bottom of any  
6       recreational vessel without requiring such marina, yacht club,  
7       boatyard, boat repair and maintenance facility or other facility to  
8       design, construct, install, operate or maintain any measures for the  
9       containment, collection, treatment, storage, discharge or hauling of  
10      vessel pressure washing wastewaters, provided: (1) The wastewaters  
11      of such marina, yacht club, boatyard, boat repair and maintenance  
12      facility or other facility do not create a source of pollution to the waters  
13      of the state and do not contain copper compounds; (2) such marina,  
14      yacht club, boatyard, boat repair and maintenance facility or other  
15      facility agrees to an initial testing of such wastewaters by an  
16      independent laboratory, as designated by the Commissioner of

17 Environmental Protection, to assure compliance with the provisions of  
18 subdivision (1) of this subsection; (3) such marina, yacht club,  
19 boatyard, boat repair and maintenance facility or other facility assumes  
20 the responsibility for the cost of any testing conducted pursuant to  
21 subdivision (2) of this subsection; (4) subsequent to the initial testing  
22 described in subdivision (2) of this subsection, such marina, yacht club,  
23 boatyard, boat repair and maintenance facility or other facility  
24 complies with any testing, as required by the Commissioner of  
25 Environmental Protection, to maintain such stormwater discharge  
26 permit; (5) in the event that the results of any single test conducted  
27 pursuant to subdivision (4) of this section do not meet the  
28 requirements of subdivision (1) of this subsection, such marina, yacht  
29 club, boatyard, boat repair and maintenance facility or other facility  
30 agrees to undertake any steps required by the commissioner to meet  
31 the requirements of subdivision (1) of this subsection; and (6) the  
32 repeated failure to meet the requirements of subdivision (1) of this  
33 subsection may result in the issuance of an order by the commissioner,  
34 pursuant to section 22a-432 of the general statutes, to correct the  
35 potential source of pollution. For the purposes of this section, "vessel"  
36 has the same meaning as in section 15-127 of the general statutes and  
37 "recreational vessel" means any vessel that is (A) manufactured or  
38 used primarily for pleasure; or (B) leased, rented or chartered to a  
39 person for the pleasure of that person but "recreational vessel" does not  
40 include a vessel that is (i) subject to Coast Guard inspection, and (ii) (I)  
41 engaged in commercial use, or (II) carries paying passengers.

42 (b) Nothing in subsection (a) of this section shall be construed to  
43 prohibit individual boat owners from washing the bottom of any  
44 recreational vessel owned by such boat owner, provided the bottom of  
45 such vessel is coated in a nontoxic paint that does not contain biocide  
46 compounds.

47 (c) Nothing in this section shall be construed to affect any provision  
48 of any consent order regarding vessel pressure washing wastewater  
49 between the Department of Environmental Protection and any owner

50 or operator of a marina, yacht club, boatyard, boat repair and  
51 maintenance facility or other facility.

52 (d) Nothing in this section shall be construed to affect any  
53 certification issued under Connecticut's Clean Marina Program, as  
54 administered by the Department of Environmental Protection.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2010</i>	New section
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***Statement of Purpose:***

To allow marinas to engage in the pressure washing of vessel bottoms if the wastewater does not contain biocide compounds.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*